

***No Child Left Behind Act of 2001***  
**(NCLB)**  
**P. L. 107-110**

**Title III, Part A**  
**Language Instruction for Limited English**  
**Proficient and Immigrant Students**

**Individual Application**  
**Guidelines ∪ Instructions ∪ Assurances**

**Application Submission Date:**  
**July 1, 2006**

**Grant Award Period:**  
**July 1, 2006 – September 30, 2007**

**Virginia Department of Education**  
**Division of Instruction**  
**Office of Program Administration and Accountability**  
**P. O. Box 2120**  
**Richmond, VA 23218-2120**

## Application Guidelines

### **Purpose of Program and General Use of Funds**

The purpose of Title III, Part A, Language Instruction for Limited English Proficient (LEP) and Immigrant Students is to support the five *No Child Left Behind* (NCLB) goals, which are:

- All students will reach high standards, at a minimum, attaining proficiency or better in reading/language arts and mathematics by 2013-2014.
- All limited English proficient students will become proficient in English and reach high academic standards, at a minimum, attaining proficiency or better in reading/language arts and mathematics.
- By 2005-2006, all students will be taught by highly qualified teachers.
- All students will be educated in learning environments that are safe, drug free, and conducive to learning.
- All students will graduate from high school.

Funds are to be used to develop instructional programs that:

- Increase the English proficiency of LEP students by providing high-quality language instructional programs that are based on scientifically-based research and demonstrate effectiveness in
  - increasing English language proficiency, and
  - student academic achievement in core content subject areas.
- Provide high-quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, administrators, and other school or community-based organizational personnel that is:
  - designed to improve the instruction and assessment of LEP children;
  - based on scientifically-based research; and
  - of sufficient intensity and duration to have a positive and lasting impact on the teachers' performance in the classroom.
- Provide parent and/or guardian outreach programs that assist in the attainment of English language proficiency and core academic content skills for their children.

### **Application Submission and Approval Deadline**

- The application submission date is July 1, 2006.
- A school division that submits an approvable application by July 1, 2006, will have the appropriate 2006-2007 funds available on a reimbursement basis as of July 1, 2006. A school division that submits an approvable application after July 1, 2006, will have the appropriate 2006-2007 funds available on a reimbursement basis as of the date the application is received at the department.

### **Submissions to the Department of Education**

- Applications will be submitted using the Web-based Online Management of Education Grant Awards (OMEGA) system. See instructions for the electronic application completion and submission process on page 3.
- The signed application cover page **should not be submitted** to the Virginia Department of Education. The application cover page signed by the division superintendent and the local school board chairperson should be retained and filed at the division level. **THE SIGNED APPLICATION COVER PAGE THAT WILL BE RETAINED AT THE LOCAL LEVEL AND THE ONLINE CERTIFICATION BY THE SUPERINTENDENT WILL INDICATE COMPLIANCE WITH APPLICATION ASSURANCES.** See additional information on assurances in the "General Assurances and Program Specific Assurances" section on page 3..

### **Revisions and Amendments to Applications**

- Revisions are edits that are necessary to the program, application, or budget *before* approval can be granted. Revisions to the application can be made after the original submission and prior to the receipt of the official grant award notification.
- Amendments are changes that are made to the program, application or budget *after* the receipt of the official grant award notification. Amendments can be made during the entire grant award period. An electronic amendment form must accompany all amendments.
- All changes, whether revisions or amendments, should be made to the original or most current version of the application Microsoft Excel file. The file should then be re-submitted using OMEGA in a similar manner as was used for the original submission of the application file. Additional information on amendment submission is available in the online technical assistance document located at: <http://www.doe.virginia.gov/VDOE/Instruction/OCP/nclb-applications.html>.

### **Criteria for Application Approval**

- Funds must be used for programs that will increase the English language proficiency and student academic achievement in core content classes of LEP students.
- Funds must be used to provide high-quality professional development.
- Programs must be based on scientifically-based research.
- Funds must be used for parental outreach programs that assist families with the attainment of English language proficiency and academic achievement in core content areas.
- Administrative costs are limited to 2 percent or less of the LEP subgrant award.
- LEP subgrants that fall below \$10,000 require school divisions to apply in consortium with one or more other schools divisions to reach the \$10,000 threshold.

### **Release of Federal Funds and Grant Award Period**

- At the conclusion of the approval process, Title III, Part A, funds are released to school divisions on a reimbursement basis. The full grant award period is July 1, 2006, through September 30, 2007.
- Should the 2006-2007 allocation amount be unavailable to school divisions by the application submission date, the 2005-2006 Title III allocation may be used as the tentative budget amount. When the school division's final 2006-2007 individual program allocation has been received, applicants should follow the electronic amendment process outlined in the online technical assistance document located at <http://www.doe.virginia.gov/VDOE/Instruction/OCP/nclb-applications.html>.

### **Appendix A: General Assurances and Program Specific Assurances**

- Assurances represent policies, procedures, and activities that must be developed by the school division to carry out the provisions of the law. The "General Assurances and Program Specific Assurances" are located at the end of this document and must be retained at the division level.
- **THE SUPERINTENDENT/DESIGNEE'S AND BOARD CHAIRPERSON'S SIGNATURES ON THE APPLICATION COVER PAGE CERTIFY THAT THE LOCAL EDUCATIONAL AGENCY WILL IMPLEMENT THE GENERAL AND PROGRAM SPECIFIC ASSURANCES. THE SIGNED ORIGINAL OF THE APPLICATION COVER PAGE MUST BE RETAINED AT THE DIVISION LEVEL.**

### **Instructions for Electronic Completion and Submission of Application**

- The application has been created as a Microsoft Excel form. Users will be allowed to enter information only in areas of the application in which they see a white box. The "Tab" key should be used to move from box to box. **Do not** use the "Enter" key to advance to the next box.

- The completed application must be saved as an Excel document with the following name: “XXXTitleIIIPtA06-07.xls” (the “XXX” should be replaced by the three-digit LEA/Payee Code for your particular division). For example, Accomack County’s Title III, Part A, application should be saved as “001TitleIIIPtA06-07.xls” on your computer.
- The completed application should be uploaded to the OMEGA system by selecting the appropriate options to indicate the type of application (individual or consolidated) and then the appropriate federal program(s) in the application(s).
- OMEGA can be accessed through the Virginia Department of Education (VDOE) Single Sign-on for Web System (SSWS) located at: <https://eb01.vak12ed.edu/ssws>.
- A log-in ID and password are necessary to access the system.
- Additional information and guidance regarding the submission of the application using OMEGA can be found in the technical assistance document at: <http://www.doe.virginia.gov/VDOE/Instruction/OCP/nclb-applications.html>. If additional technical support is needed, please e-mail [OMEGA.Support@doe.virginia.gov](mailto:OMEGA.Support@doe.virginia.gov) or call (804) 371-0993.

### **Instructions for Completing the Application**

#### **A. COVER PAGE (PAGES 1-2)**

1. The applicant will complete the school division information section. Click the drop down box that appears at the end of the Applicant (Legal Name of Agency) to find your school division name. This feature will automatically insert your school division name and number throughout the application.
2. The local school board must review and approve the application prior to submission to the Virginia Department of Education.
3. The designated division representative will complete the Local Educational Agency Certification by securing all appropriate signatures and by indicating the date of the school board meeting.
4. Once you have clicked on your school division name, on page 2 the 2005-2006 funding allocations will appear in the box in the column labeled 2005-2006 Allocation. A “yes” or “no” will also appear in the column marked 2005-2006 Consolidated application.
5. In the column to the right labeled, 2006-2007 Allocation Total, enter your school division’s allocations for Title III, Part A, to be included in the 2006-2007 Individual Application. If you do not have your 2006-2007 allocation, use the 2005-2006 amount.

#### **B. PROGRAM OVERVIEW (PAGES 3-4) — RESPONSE LIMIT: 2 PAGES**

In narrative format:

1. Describe the instructional program or program of services to be developed with the requested federal funds.
2. Include the targeted population(s). (Examples: NCLB subgroups of students, homeless and migrant students, instructional and administrative staff, paraprofessionals, parents, etc.)
3. Discuss how the division’s program will contribute to the achievement of the NCLB goals.

#### **C. COORDINATION OF SERVICES (PAGE 5) — RESPONSE LIMIT: 1 PAGE**

Describe the partnership within your division between this program and other federal, state and/or local programs in the delivery of services to the targeted population(s). Describe the collaboration of program staffs, parents, and the community to provide services and activities that will contribute to the attainment of the measurable objectives in the application.

#### **D. MEASURABLE OBJECTIVES (PAGES 6-9)**

1. In the tables on pages 6-9, as needed, state the measurable objectives that will guide the development of the program to be funded with the requested federal funds. Measurable objectives may be continued/revised from the previous school year.
2. Then describe the scientifically-based services and activities (programs, models, instructional methods and techniques) that will be implemented to achieve each objective and that will be supported by the requested funds.
3. The goals and measurable objectives for Title III programs should be guided by the following requirements of the legislation: 1) programs and services that focus on increasing the English language proficiency of limited English proficient students; 2) programs and services that focus on improving LEP student achievement on the Standards of Learning (SOL) assessments in English/reading and mathematics; 3) programs and services that focus on high-quality professional development that will provide staff with the skills necessary to increase the English language proficiency and core content knowledge; and 4) parental outreach programs and services designed to increase English language proficiency and core academic content skills.
4. See the definition and examples of measurable objectives below.

**What is a Measurable Objective?**

A measurable objective has four components:

1. Subject (Who is the target or focus?);
2. Behavior (What will be changed/improved?);
3. Specific criteria for assessing improvement, readiness, or achievement; and
4. Time period for performance or assessment.

**Examples:**

1. In the spring of 2007, 73 percent of the LEP students taking the Standards of Learning English/reading or state-approved assessments linked to the Standards of Learning will score at the proficient level.
2. In the spring of 2007, 71 percent of the LEP students taking the Standards of Learning mathematics or state-approved assessments linked to the Standards of Learning will score at the proficient level.
3. By the end of the 2006-2007 school year, 35 percent of the limited English proficient students will demonstrate progress in acquiring English language proficiency as demonstrated by moving from one English language proficiency level to the next.
4. By the end of the 2006-2007 school year, 25 percent of the limited English proficient students will be re-classified as non-LEP.

Note: It is anticipated that 2005-2006 student-level Standards of Learning (SOL) test results will arrive in the school divisions prior to the application deadline. Though unofficial, schools and school divisions should examine these data for student progress toward the attainment of the adequate yearly progress (AYP) annual measurable objectives in reading (English/language arts) and mathematics.

School divisions that have not received the data in sufficient time to complete certain measurable objectives by the application deadline should still consider submitting the application on time. Upon receipt and analysis of the student-level data, divisions should submit a revised electronic application and an electronic amendment form.

**E. BUDGET (PAGES 10-16)**

1. The program budget must reflect resources needed to achieve the measurable objectives. Please note that administrative costs are limited to two (2) percent of the LEP subgrant award. Additionally, if funds have been awarded in both the LEP subgrant and the Immigrant and Youth subgrant, the budget must be divided accordingly.
2. Complete the following budget forms

- Budget Summary
  - Detailed Budget Breakdown
3. The “Expenditure Accounts Description” provides definitions for the object codes. Please review carefully.

#### **F. CONSORTIUM APPLICANTS (PAGE 17)**

1. School divisions that receive a LEP subgrant of less than \$10,000 must join in a consortium with one or more other school divisions to meet the \$10,000 threshold required by Section 3114 (b).
2. A lead school division must be identified and one application must be submitted by the lead school division for all consortium members. All consortium members must be listed on the application. The allocation amount should be the total for all divisions in the consortium.
3. Participating consortium members must submit the participating LEA consortium member certification to the lead school division for inclusion in the application.

### **REQUIRED AND ALLOWABLE LEP SUBGRANT AND IMMIGRANT AND YOUTH SUBGRANT ACTIVITIES**

The allowable activities are separated into the two subgrant categories 1) LEP subgrant, and 2) immigrant and youth subgrant.

#### **Required LEP Subgrant Activities**

LEP Subgrant funds must be used to:

1. increase the English proficiency of LEP children by providing high quality language instruction educational programs that are based on scientifically-based research demonstrating the effectiveness of the programs in increasing English proficiency and improving student academic achievement in the core academic subjects; and
2. provide high quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, administrators, and other school or community-based organizational personnel, that is—
  - a. designed to improve the instruction and assessment of LEP children;
  - b. designed to enhance the ability of such teachers to understand and use curricula, assessment measures, and instruction strategies for LEP children;
  - c. based on scientifically-based research demonstrating the effectiveness of the professional development in increasing children’s English proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and
  - d. of sufficient intensity and duration (which shall not include activities such as one-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers’ performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher’s supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any LEA employing the teacher.

#### **Allowable LEP Subgrant Activities**

LEP subgrant funds may be used to:

1. upgrade program objectives and effective instruction strategies;
2. improve the instruction program for LEP children by identifying, acquiring, and upgrading curricula, instruction materials, educational software, and assessment procedures;

3. provide tutorials and academic or career and technical education and intensified instruction;
4. develop and implement elementary or secondary language instruction educational programs that are coordinated with other relevant programs and services;
5. improve the English proficiency and academic achievement of LEP children;
6. provide community participation programs, family literacy services, and parent outreach and training activities to LEP children and their families to improve the English language skills of LEP children, and to assist parents in helping their children to improve their academic achievement and becoming active participants in the education of their children;
7. improve the instruction of LEP children by providing for the acquisition or development of educational technology or instructional materials, access to; and participation in, electronic networks for materials, training, and communication, and incorporation of such resources into curricula and programs; and
8. carry out other activities that are consistent with the purposes of this section.

### **Allowable Immigrant and Youth Subgrant Activities**

Immigrant and Youth subgrant funds may be used to provide enhanced instructional opportunities for immigrant children and youth, which may include:

1. family literacy and parental outreach, and training activities designed to assist parents to become active participants in the education of their children;
2. support for personnel, including teacher aides who have been specifically trained, or are being trained, to provide services to immigrant children and youth;
3. provision of tutorials, mentoring, or academic/career counseling for immigrant children and youth;
4. identification and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with funds;
5. basic instructional programs that are directly attributable to the presence in the school district involved of immigrant children and youth, including payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such basic instructional services;
6. other introduction services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and
7. activities coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents of immigrant children and youth by offering comprehensive community services.

## **Appendix A**

# **ASSURANCES**

The assurances should be kept on file in the division.



## GENERAL ASSURANCES

Title I, Part A	– Improving Basic Programs Operated by Local Educational Agencies
Title I, Part C	– Education of Migratory Children
Title I, Part D, Subpart 2	– Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
Title II, Part A	– Teacher and Principal Training and Recruiting Fund
Title II, Part D	– Enhancing Education Through Technology
Title III, Part A	– English Language Acquisition, Language Enhancement and Academic Achievement
Title IV, Part A	– Safe and Drug-Free Schools and Communities
Title V, Part A	– Innovative Programs
Title VI, Part B, Subpart 2	– Rural and Low-Income School Program

The school division assures:

- I. Each program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;
- II. The control of funds provided under each program and title to property acquired with program funds will be in a public agency, a nonprofit private agency, institution, organization, or an Indian tribe, if the law authorizing the program provides for assistance to those entities;
- III. The public agency, nonprofit private agency, institution, or organization, or Indian tribe will administer those funds and property to the extent required by the authorizing statutes;
- IV. It will adopt and use proper methods of administering each program, including—
  - A. The enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program;
  - B. The correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation and that:
    1. It will maintain fiscal effort in support of free public education;
    2. It will provide services with state and local funds that are at least comparable to services provided in schools and areas not receiving special federal funds;
    3. The majority of the resources in the school division are derived from non-federal funds;
    4. It is in compliance with the requirements regarding school prayer as specified in P. L. 107-110, Title IX, Section 9524;
    5. It will comply with the audit requirements for each program;
    6. The federal funds are used to supplement, not supplant regular non-federal funds;
    7. It will cooperate in carrying out any evaluation of each program conducted by or for the state educational agency, the Secretary, or other federal officials;
    8. It will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, federal funds paid to the applicant under each program;
    9. It will submit such reports to the state educational agency (which shall make the reports available to the Governor) and the Secretary of Education as the state educational agency and Secretary may require to enable the state educational agency and the Secretary to perform their duties under each program;
    10. It will maintain such records for five years, provide such information, and afford such access to the records as the state educational agency (after consultation with the Governor) or the Secretary may reasonably require to carry out the state educational agency's or the Secretary's duties;

11. It consulted with teachers, school administrators, parents, members of the community, nonprofit organizations and other interested parties in the development of this plan;
12. It afforded a reasonable opportunity for public comment on the plan or application and considered such comment before the application was submitted;
13. It is in compliance with the requirement regarding equal access to public school facilities as specified in P. L. 107-110, Title IX, Section 9525;
14. It will comply with the other application requirements outlined in  
Section 9501. Private School Children;  
Section 9502. Bypass; and  
Section 9521. Maintenance of Effort under Title IX – General Provisions;
15. It will notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:
  - a) whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
  - b) whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;
  - c) whether the child is provided services by paraprofessionals and, if so, their qualifications; and
  - d) the baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree;
16. It will provide information in an understandable and uniform format and, to the extent practicable, in a language that parents can understand;
17. It will ensure that funds are expended in accordance with the school division's approved application or amended application. In the event the local division needs to expend funds in any manner other than stipulated in the approved application, the plan must be amended using the amendment process provided by the Department of Education. The application must be amended before funds can be expended for activities not approved in the original application;
- C. That it will collect and disseminate information collected under Section 1111 in a manner that protects the privacy of individuals;
- D. That it will abide by the School Improvement provisions of Title I, Section 1116, that include among other requirements, the provisions of public school choice and supplemental educational services, as appropriate, for schools identified for Title I School Improvement.
- E. That it will abide by the LEA Improvement provisions of Title I, Section 1116, as appropriate, for divisions that are identified for LEA Improvement.
- V. The division shall comply with Section 22.1-277.01, of the Code of Virginia that requires the expulsion for one year of any student determined to have brought a firearm to school. A description of each incident, the name of the school concerned, the number of students expelled from each school, and the type of firearm used in each instance of expulsion will be reported to the Virginia Department of Education in compliance with provisions under Section 4141 of Title IV. This agency has a policy that requires referral to the criminal justice or the juvenile delinquency system of any student who brings a firearm or weapon to school;
- VI. It will participate, if selected, in the state National Assessment of Educational Progress in 4th and 8th grade reading and mathematics carried out under Section 411(b)(2) of the National Education Statistics Act of 1994.

## **PROGRAM SPECIFIC ASSURANCES**

### **Title III, Part A – English Language Acquisition, Language Enhancement and Academic Achievement**

Each school division's plan shall ensure —

1. That it will include in the plan a certification that all teachers in any language instruction educational program for limited English proficient children that is, or will be, funded under this part are fluent in English and any other language used for instruction, including having written and oral communications skills;
2. That it will comply with the parental notification requirements as described below:  
Section 3302  
(a) IN GENERAL- Each eligible entity using funds provided under this title to provide a language instruction educational program shall, not later than 30 days after the beginning of the school year, inform a parent or the parents of a limited English proficient child identified for participation in, or participating in, such program of —
  - (1) the reasons for the identification of their child as limited English proficient and in need of placement in a language instruction educational program;
  - (2) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
  - (3) the method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction;
  - (4) how the program in which their child is, or will be participating will meet the educational strengths and needs of the child;
  - (5) how such program will specifically help their child learn English, and meet age appropriate academic achievement standards for grade promotion and graduation;
  - (6) the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for limited English proficient children, and the expected rate of graduation from secondary school for such program if funds under this title are used for children in secondary schools;
  - (7) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and
  - (8) information pertaining to parental rights that includes written guidance —
    - (A) detailing —
      - (i) the right that parents have to have their child immediately removed from such program upon their request; and
      - (ii) the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and
    - (B) assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the eligible entity.  
(b) SEPARATE NOTIFICATION- In addition to providing the information required to be provided under subsection (a), each eligible entity that is using funds provided under this title to provide a language instruction educational program, and that has failed to make progress on the annual measurable achievement objectives described in section 3122 for any fiscal year for which part A is in effect, shall separately inform a parent or the parents of a child identified for participation in such program, or participating in such program, of such failure not later than 30 days after such failure occurs.

(c) RECEIPT OF INFORMATION- The information required to be provided under subsections (a) and (b) to a parent shall be provided in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.

3. That it will annually assess the English proficiency of all children with limited English proficiency participating in programs funded under this part;
4. That it will base its proposed plan on scientifically-based research on teaching limited English proficient children;
5. That it will ensure that the programs will enable children to speak, read, write, and comprehend the English language and meet challenging state academic content and student academic achievement standards; and
6. That it will not violate any state law, including state constitutional law, regarding the education of limited English proficient children, consistent with Sections 3126 and 3127.